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**City Council Work Session Minutes  
Boards/Commissions' Assignments**

**Monday, August 10, 2020  
5:30 p.m., Community Auditorium**

***Minutes are unofficial until approved by Council.  
Council approved minutes as presented September 14, 2020.***

**1. ROLL CALL:**

Mayor Peter Truax called the Work Session to order at 5:34 p.m. via Webex Video Conference.

**COVID-19:** Due to the emergency declaration resulting from COVID-19 (Coronavirus disease) and protocols, the **City Council conducted the Work Session remotely by video conferencing.** The meeting was remotely video conferenced by City Recorder Ruggles at the Community Auditorium.

**ROLL CALL: COUNCIL PRESENT ATTENDED BY WEBEX REMOTELY:** Kristy Kottkey; Timothy Rippe; Elena Uhing; Mariana Valenzuela; Adolph "Val" Valfre; and Mayor Peter Truax. **COUNCIL ABSENT:** Malynda Wenzl, Council President, excused.

**STAFF PRESENT ATTENDED BY WEBEX REMOTELY:** Jesse VanderZanden, City Manager (Webex remotely); Chad Jacobs, City Attorney (Webex remotely); Paul Downey, Administrative Services Director (Webex remotely); and Anna Ruggles, City Recorder (in the Community Auditorium).

**2. WORK SESSION: BOARDS/COMMISSIONS' (B&C) ASSIGNMENTS**

VanderZanden facilitated the above-noted work session, noting the purpose of the work session was to review the B/C assignments listed in the 2020/21 Council Goals and Objectives. VanderZanden presented a PowerPoint presentation overview of the 2020/21 Council Goals and Objectives, a list showing the 11 existing B/C and the B/C assignments, noting in 2018, the Council began listing in the Goals and Objectives the B/C that was most applicable to the objective; however, the level of involvement was not specified. In conclusion of the above-noted staff report, VanderZanden advised the purpose of the discussion was to allow Council the following opportunities: 1) to add, remove, or reassign a B/C to any objective; 2) to clarify the expectations, i.e., scope of involvement, including timeline, of the B/C with regard to that particular objective and 3) to assign an issue to a B/C that is not listed as an objective.

**Council Discussion:**

Mayor Truax opened the floor and roundtable discussion ensued as Council discussed and review the B/C assignments listed in the 2020/21 Council Goals and Objectives.

Kottkey suggested establishing neighborhood connections perhaps as an assignment for an ad-hoc group or an assignment for the Committee for Community Involvement (CCI). Uhing suggested assigning more work to Sustainability Commission and updating the timelines due to COVID-19. Rippe suggested assigning CCI to look at ways to increase the City's Citizen Survey response rate. In addition, roundtable discussion ensued as Council discussed a policy directive the City has referred to the Public Arts Commission to draft a new mural policy for Council consideration. Valenzuela referenced an e-mail that she received from a Pacific University student (Karsen Buck) pertaining to a proposed project to install a Social Justice mural at Forest Glen Park on the handball court that will incorporate imagery celebrating the Black Lives Matter movement. Valenzuela asserted the project is being delayed because of the process to develop a new City policy, noting she is immensely disappointed as she feels that the City is not reflecting on diversity, equity and inclusion in the delivery of its response to the mural project. Valenzuela stated instead the City is engaging in a process to develop a new policy, yet the City allowed the boy scouts to paint the American Flag previously at the same location with no policy in place. Valenzuela voiced concerns regarding free speech and the City's restriction being based on content and the City being selective in its decision-making process. Valenzuela advised she reached out to the City Attorney to help her understand why it has now become an issue for the City to not allow the mural project at the same location when the City allowed it previously. Jacob advised the City does not currently have a policy in place for placement of murals on city-owned property and as a result, it is the City's recommendation to refer the matter to the Public Arts Commission to consider developing a policy recommendation to the Council. Jacob affirmed the message has received support and it has not been the City's intention to stop, delay or deny this particular mural, noting the City's goal is to make sure a process is in place for placement of any murals on city-owned property and so the City can regulate what it wants to see on its property. Jacob explained the policy is intended to address the myriad ways in which a project is proposed and implemented, noting any new policy recommendation requires Council approval and/or the Council can also determine not to refer the matter to the Public Arts Commission. Mayor Truax addressed the placement of murals on private property versus city-owned property, noting he would like to ensure that messages on city-owned property, i.e., flag pole, are not extremely divisive and to ensure that a process is in place that is transparent, inclusive and equitable for all. Jacob addressed two separate issues that were the focal points of the roundtable discussion: 1) city-owned property, the City is allowed to make a decision to control the type of art work, signage and speech. 2) How the City regulates privately-owned property, i.e., sign code regulations. Under the Oregon Constitution the sign code must be content-neutral. In response to concerns regarding Valenzuela's fence, Valenzuela confirmed that she has not made a formal request to the City to paint a mural on her fence but that she is simply using her fence as an example in effort to get a clear answer if it is permissible or not permissible to paint a mural on her fence, to which Jacob explained because the fence is on private property, it is reviewed under the City's sign code regulations and Jacob reaffirmed the sign code is content-neutral. Jacob also made it clear that the City's focus and discussion has been on city-owned property and how

and when regulations may be imposed, noting the City is not creating new regulations that would stop anyone from doing something on private property. Jacob advised there are questions he discussed with staff about some specific language in the City's sign code regulations and how the code would apply to this particular situation, noting he could provide additional legal advice regarding these concerns in an executive session if requested. Mayor Truax referenced a new mural that has been painted on Main Street/21<sup>st</sup> Avenue on private property as well as other free speech examples that have been allowed under the Oregon Constitution. In conclusion of the above-noted roundtable discussion, Mayor Truax advised staff to report back to Council if an executive session is scheduled.

Council took no formal action nor made any formal decisions during the work session.

**3. ADJOURNMENT**

Mayor Truax adjourned the work session at 6:25 p.m.

Respectfully submitted,



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Anna D. Ruggles, CMC, City Recorder